

Serial No. 09/877,597

- 4 -

51410sh

REMARKS

Claims 1-8 and 10 stand rejected under 35 USC 102(e) over Kamper, U.S. Patent No. 6,654,797. Claim 1 has been amended to clarify that the invention relates to unique information relating to a particular user's configuration preferences, and to include the limitation of claim 2, namely, the users' preferred desktop interface. This is neither taught nor suggested by Kamper.

Kamper does not disclose a computing environment comparable to that of the instant invention. The nature of the data that is uploaded is limited to configuring the server "for use in a network"; the scope of this data is defined this way (column 4, lines 10-13): "The configuration data may include, for example, the IP address of the server, the hostname, the netmask, the gateway, domain, and nameserver information for the server 118." Every example cited is for data related to *networking*; none of the various embodiments disclosed in Kamper in any way suggest the use of the removable storage device to store user data.

None of the various embodiments disclosed in Kamper in any way suggest the use of the removable storage device to store data to be used for configuration of a particular Graphical User Interface. In fact, Kamper teaches away from even employing a GUI (column 5, lines 8-16):

"In the prior art, when a suite of new server machines is installed, setup, and administered, it was necessary to attach a terminal, keyboard, and/or mouse to each server machine in turn, moving these devices between the servers. This can be very awkward and time consuming, since this requires connection of three different ports[. Using the present invention it is only necessary to use a removable storage device reader, either integrated into the server or external to the server, which can be used to upload the data to the server." [sic]

In rejecting previous claim 2, the Examiner cited column 3, lines 15-20, using the argument that "operating system images" is somehow equivalent to "desktop graphical user interface (GUI)," but these are not at all the same. A desktop graphical user interface or GUI would be recognized by anyone of skill in the art as what a user sees on his or her screen display, including icons, or other symbols associated with application programs, files, and so forth. An "operating system image," on the other hand, has to do with a digital "snapshot" of an O/S, and has nothing to do with anything actually visualized by a user. Rather, an operating system "image" in this sense represents data such as back-up or recovery data used for system restoration or other purposes, and not a GUI.

Serial No. 09/877,597

- 5 -

51410sh

Given that anticipation requires a single piece of prior art to disclose each and every element of an invention as claimed, anticipation in this case is avoided. RCA Corp. v. Applied Digital Data Systems, 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

Claim 11 stands rejected under 35 U.S.C. §103 over Camper as applied to claim 1, in view of Lenz ('196). The Examiner concedes that Camper does not "disclose files that are updated in accordance with the user at the second computer," but argues that this would be obvious in that it would "alleviate the need for users to manually update their stored preferences and settings," citing Lenz at column 1, lines 12-24. However, the type of information transferred in accordance with the Camper patent does not lend itself to user updating, since it is used for network configuration purposes across a broad range of server devices. As shown in Figure 4 of Kamper, the configuration data only is read in from the removable storage device if the computer, on booting-up, finds that the configuration has not already been installed at the designated storage location (Col. 6, ll. 22-26): "... the boot code of the server instructs the server to look for a configuration profile in a predetermined location in local memory storage. If a configuration profile exists, then the server is already configured and need not be configured using the removable storage device reader." And (column 6, lines 30-33): "To change the profile, a user would have to clear or erase the current configuration profile stored in the server. The server would then boot-up with no configuration profile stored in the server." At this point, the server would need to be powered-off and powered-on again, so that it then would find no configuration profile, and would load the configuration profile from the removable storage device reader.

Claim 9 stands rejected under 35 U.S.C. §103 over Camper as applied to claim 1, and further in view of Official Notice. The Examiner concedes that Camper does not teach or suggest prompting a user to remove a portable storage device, but contends that since "user prompts were well known and widely used in the art at the time of the invention, in order to transfer the stored user unique identifier to other clients." The Examiner is incorrect in this regard. First of all that "prompts" were well known, does not mean that "prompts" to make certain that a user removes the portable storage medium were at all well known if they were known at all. Secondly, again, the type of information transferred by Camper is not necessarily that private and it is certainly not that unique to a user. In contrast, according to the instant invention, very user-sensitive information is transferred, including, apart from desktop GUI configuration data, file information, network

Serial No. 09/877,597

- 6 -

S1410sh

communications information, and so forth. Whereas it may be extremely desirable according to the instant invention to prompt a user to remove their card, as it contains user-specific configuration data, this would not be the case in Camper, and in any case, the Examiner is required to make specific factual findings and evidence in support of a *prima facie* obviousness rejection which, in this case, has not taken place.

Based on the foregoing amendments and comments, Applicant believes the pending claims are in condition for allowance. Questions regarding this application may be directed to the undersigned attorney by telephone, facsimile or electronic mail.

Respectfully submitted,

By: 

John G. Posa  
Reg. No. 37,424  
Gifford, Krass, Groh, Sprinkle,  
Anderson & Citkowski, PC  
PO Box 7021  
Troy, MI 48007-7021  
(734) 913-9300 FAX (734) 913-6007

Dated: October 14, 2005

GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON &amp; CITKOWSKI, P.C. 2701 TROY CENTER DR., SUITE 302, P.O. BOX 7021 TROY, MICHIGAN 48067-7021 (248) 617-6000